GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:3698
ANSWERED ON:22.12.2015
Misuse of IPC
Thakur Shri Anurag Singh

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government has taken cognizance of the implementation issues in terms of police abuse, delay in judicial process and misuse of Section 498A of the IPC and if so, the details thereof;

(b) whether the Government has any proposal to amend Section 498A on the suggestions of the Law Commission and Justice Malimath Committee on reforms of criminal justice system and if so, the details thereof and if not, the reasons therefor; and

(c) the time by which such amendment is likely to be effected?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a) to (c): Based on the observations/directions of the Hon'ble Supreme Court of India, advisory has been issued to all the State Governments / Union Territory Administrations on the measures to be taken to curb misuse of Section 498A of the Indian Penal Code. There is a proposal to make section 498A of the Indian Penal Code a compoundable offence, with the permission of the Courts, as per the recommendations of the Law Commission of India and the Malimath Committee. Being a legislative process, no time line as such can be fixed.

******